



PTO/SB/21 (09-04)

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

10/821,624

Filing Date

April 9, 2004

First Named Inventor

Michael John Dunkley et al.

Art Unit

3761

Examiner Name

Unassigned

Attorney Docket Number

0197.00

**ENCLOSURES (Check all that apply)**

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	50 Cited References
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	NEKTAR THERAPEUTICS		
Signature			
Printed name	Guy V. Tucker		
Date	15 FEB 05	Reg. No.	45,302

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Minna Cotter	Date	16 Feb 05

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Michael John Dunkley  
et al.

Atty. Docket No.: 0197.00

Examiner: Unassigned

Application No.: 10/821,624

Group Art Unit: 3761

Filed: April 9, 2004

Title: AEROSOLIZATION APPARATUS  
WITH CAPSULE PUNCTURE  
ALIGNMENT GUIDE

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INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.56, §1.97 and §1.98

Assistant Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

The references listed in the attached Forms PTO/SB/08A and B may be material to examination of the above-identified patent application. Applicants submit these references in compliance with their duty of disclosure pursuant to 37 CFR §§1.56, 1.97, and 1.98. The Examiner is requested to make these citations of official record in this application.

This Information Disclosure Statement is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that these references indeed constitute prior art.

Copies of the references are enclosed, as required under 37 CFR §§1.98.

Attorney Docket No. 0197.00

This Information Disclosure Statement is being timely filed under 37 CFR §§1.97 and is being filed:

☒ within three months of the filing date of a national application or an RCE; within three months of the date of entry of the national stage as set forth in section 1.491 in an international application; or before the mailing date of a first Office action on the merits (whichever event occurs last);

☐ Please charge the amount of \$\_\_\_ to Deposit Account 500348

☒ If it is determined that any additional fees are due, the Commissioner is hereby authorized to charge such fees to Deposit Account 500348.

Respectfully submitted,

NEKTAR THERAPEUTICS

Dated: 15 FEB 05

By:



Guy V. Tucker  
Reg. No. 45,302

San Carlos, CA 94070  
(650) 631-3100



<b>Form PTO/SB/08A (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  <i>(Use Several Sheets if Necessary)</i>	<b>Atty Docket No.:</b> 0197.00	<b>Application No.:</b> 10/821,624
	<b>Applicant:</b> Michael John Dunkley et al.	
	<b>Filing Date:</b> 04/09/2004	<b>Group:</b> 3761

### U.S. Patent Documents

Examiner Initial	Patent No.	Date	Patentee	Class	Sub-Class	Filing Date
	154,864	09/09/1874	Harvey			
	2,151,418	03/21/1939	Bolte			
	3,795,244	03/05/1974	Lax et al.			
	3,991,761	11/16/1976	Cocozza			
	4,069,819	01/24/1978	Valentini et al.			
	4,114,615	09/19/1978	Wetterlin			
	4,161,516	07/17/1979	Bell			
	4,247,066	01/27/1981	Frost et al.			
	4,338,931	07/13/1982	Cavazza			
	4,641,644	02/10/1987	Andersson et al.			
	4,846,876	07/11/1989	Draber et al.			
	4,995,385	02/26/1991	Valentini et al.			
	5,301,666	04/12/1994	Lerk et al.			
	5,331,954	07/26/1994	Rex et al.			
	5,379,763	01/10/1995	Martin			
	5,447,151	09/05/1995	Bruna et al.			
	5,458,135	10/17/1995	Patton et al.			
	5,505,194	04/09/1996	Adjei et al.			
	5,619,985	04/15/1997	Ohki et al.			
	5,645,050	07/08/1997	Zierenberg et al.			
	5,699,789	12/23/1997	Hendricks			
	5,727,546	03/17/1998	Clarke et al.			
	5,785,049	07/28/1998	Smith et al.			
	5,797,391	08/25/1998	Cook et al.			
	Des.410,541	06/01/1999	Moulin			
	5,989,217	11/23/1999	Ohki et al.			
	5,901,703	05/11/1999	Ohki et al.			
	5,922,675	07/13/1999	Baker et al.			
	Des.420,736	02/15/2000	Moulin			
	6,230,707	05/15/2001	Hörlin			

<b>Examiner:</b>	<b>Date Considered:</b>
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



<b>Form PTO/SB/08A (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  <i>(Use Several Sheets if Necessary)</i>	<b>Atty Docket No.:</b> 0197.00	<b>Application No.:</b> 10/821,624
	<b>Applicant:</b> Michael John Dunkley et al.	
	<b>Filing Date:</b> 04/09/2004	<b>Group:</b> 3761

**Foreign Patent or Published Foreign Patent Application**

Examiner Initial	No.	Document No.	Publication Date	Country or Patent Office	Class	Sub- class	Translation Yes No	
	A	0 666 085	08/09/1995	EP				
	B	0753319	01/15/1997	EP				
	C	95/03846	02/09/1995	WO				
	D	95/24183	09/14/1995	WO				
	E	99/16419	04/08/1999	WO				
	F	96/32096	10/17/1996	WO				
	G	96/32149	10/17/1996	WO				
	H	97/27892	08/07/1997	WO				
	I	97/42992	11/20/1997	WO				
	J	99/16422	04/08/1999	WO				
	K	99/45987	09/16/1999	WO				
	L	00/07572	02/17/2000	WO				
	M	00/72904	12/07/2000	WO				
	N	02/083220	10/24/2002	WO				
	O							
	P							
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	AA							
	BB							
	CC							

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<b>Form PTO/SB/08B (Modified)</b>  <b>Information Disclosure Statement By Applicant</b>  <i>(Use Several Sheets if Necessary)</i>	<b>Atty Docket No.:</b> 0197.00	<b>Application No.:</b> 10/821,624
	<b>Applicant:</b> Michael John Dunkly et al.	
	<b>Filing Date:</b>	<b>Group:</b>

**Other Documents**

Examiner Initial	No.	Author, Title, Date, Place (e.g. Journal) of Publication
	DD	MEAKIN ET AL., "Drug Emission Efficacy of Turbospin® A New Single Dose Dry Powder Inhaler", 14 <sup>th</sup> Pharmaceutical Technology Conference, Barcelona – Spain, April 4 <sup>th</sup> , 5 <sup>th</sup> and 6 <sup>th</sup> , 1995.
	EE	
	FF	
	GG	
	HH	
	II	
	JJ	
	KK	
	LL	
	MM	
	NN	
	OO	
	PP	
	QQ	
	RR	
	SS	
	TT	
	UU	
	VV	
	WW	
	XX	
	YY	
	ZZ	
	AAA	
	BBB	

<b>Examiner:</b>	<b>Date Considered:</b>
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Examiner: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.